

IN SENATE OF THE UNITED STATES.

MAY 24, 1836.

Read, and ordered to be printed.

Mr. NAUDAIN made the following

REPORT,

WITH SENATE BILL NO. 267.

*The Committee of Claims, to whom was referred a resolution of the Senate of the 29th of April, instructing the committee "to inquire into the propriety of allowing to Captain William East, of Madison county, Alabama, fifty-six dollars, for one hundred and twelve pairs of horse shoes furnished to a part of Major Russell's battalion of General Coffee's brigade, in the service of the United States during the late war, report :*

That, in February, 1815, William East made for and put on part of the horses of Captain Hodges's command of mounted volunteer gun-men, belonging to General Coffee's brigade, one hundred and twelve pairs of horse shoes; for this service he received from the brigade quartermaster an order on the assistant deputy quartermaster general at Nashville. No payment has been made, and no reason given why the order was not paid by the assistant deputy quartermaster general.

The account was transmitted to the Third Auditor by the honorable Mr. Moore, and in his answer the Auditor states that "the allowance of forty cents per day to militia cavalry for the use and risk of their horses, arms, and accoutrements, per act of the 2d January, 1795, has been considered to include this charge, that is, that the owners receiving this allowance were to be at the expense of shoeing their horses." The company of Captain Hodges is found to have received the allowance of forty cents per day as above; the claim, therefore, of Mr East, in conformity to the usage in such cases, is returned as inadmissible."

The committee have no doubt that the work was done by Mr. East, and that he believed the United States would and ought to pay for the work. He knew nothing of the nature of the contract between the United States and the volunteers in their service, and it would be injustice to withhold from him a just compensation for services thus rendered.

The committee would remark that an act passed the 3d March, 1817, for the relief of William Chism, authorizing money he had advanced for shoeing horses belonging to his company of mounted gun-men to be refunded, although they had been paid the full allowance for the use and risk of their horses.

The committee therefore report a bill.

